

Restriction Requirement

The Examiner is requiring restriction under 35 U.S.C. §121 to one of the following inventions:

- I. Claims 1-22, 42, 43, and 53, drawn to a chemical compound and a pharmaceutical composition of formula I;
- II. Claims 23-24, drawn to a method to inhibit HIV infection in a subject using a chemical compound of formula I;
- III. Claims 25-27, and 37, drawn to a method to ameliorate a CXCR4-mediated condition in a subject using a chemical compound of formula I;
- IV. Claims 28-36 and 38-41, drawn to a method to enhance the population of progenitor and/or stem cells in a subject using a chemical compound of formula I;
- V. Claims 44 and 45, drawn to a method to elevate progenitor and/or stem cell population in a subject using a compound;
- VI. Claim 46, drawn to a method to effect regeneration of cardiac tissue in a subject using a compound;
- VII. Claims 47-52, drawn to a method to treating a subject who would be benefited by elevation of white blood cell count using a chemical compound of formula I; and
- VIII. Claims 54-57, drawn tot a method to effect regeneration of cardiac tissue in a subject using a chemical compound of formula I.

Applicant expressly reserves the right under 35 U.S.C. §121 to file a divisional application directed to the non-elected subject matter during the pendency of this application, or an application claiming priority from this application.

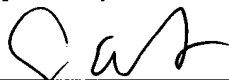
CONCLUSION

Applicants request examination of the elected subject matter on the merits.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 391442006300. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: August 22, 2006

Respectfully submitted,

By 

Carolyn A. Favorito

Registration No.: 39,183

MORRISON & FOERSTER LLP

12531 High Bluff Drive

Suite 100

San Diego, California 92130-2040

(858) 720-5195